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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 SECURITIES AND EXCHANGE  
11 COMMISSION,

12 Plaintiff,

13 vs.

14 LOUIS V. SCHOOLER and FIRST  
15 FINANCIAL PLANNING  
16 CORPORATION d/b/a WESTERN  
FINANCIAL PLANNING  
CORPORATION,

17 Defendants.  
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Case No. 3:12-cv-02164-GPC-JLB

**FINAL JUDGMENT AS TO FIRST  
FINANCIAL PLANNING  
CORPORATION d/b/a WESTERN  
FINANCIAL PLANNING  
CORPORATION**

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1 The Securities and Exchange Commission having filed a Complaint and  
 2 Defendant First Financial Planning Corporation, which does business as Western  
 3 Financial Planning Corporation (“Western”) having entered a general appearance;  
 4 consented to the Court’s jurisdiction over Defendant and the subject matter of this  
 5 action; consented to entry of this Final Judgment without admitting or denying the  
 6 allegations of the Complaint (except as to jurisdiction and except as otherwise  
 7 provided herein in paragraph V); waived findings of fact and conclusions of law;  
 8 and waived any right to appeal from this Final Judgment:

9 **I.**

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant  
 11 is permanently restrained and enjoined from violating, directly or indirectly,  
 12 Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15  
 13 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5],  
 14 by using any means or instrumentality of interstate commerce, or of the mails, or  
 15 of any facility of any national securities exchange, in connection with the purchase  
 16 or sale of any security:

- 17 (a) to employ any device, scheme, or artifice to defraud;
- 18 (b) to make any untrue statement of a material fact or to omit to state a  
 19 material fact necessary in order to make the statements made, in the light of  
 20 the circumstances under which they were made, not misleading; or
- 21 (c) to engage in any act, practice, or course of business which operates or  
 22 would operate as a fraud or deceit upon any person.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as  
 24 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also  
 25 binds the following who receive actual notice of this Final Judgment by personal  
 26 service or otherwise: (a) Defendant’s officers, agents, servants, employees, and  
 27 attorneys; and (b) other persons in active concert or participation with Defendant  
 28 or with anyone described in (a).

**II.**

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17(a) of the Securities Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any security by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, directly or indirectly:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to obtain money or property by means of any untrue statement of a material fact or any omission of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or
- (c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

**III.**

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 5 of the Securities Act [15 U.S.C. § 77e] by, directly or indirectly, in the absence of any applicable exemption:

- (a) Unless a registration statement is in effect as to a security, making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of

1 any prospectus or otherwise;

2 (b) Unless a registration statement is in effect as to a security, carrying or  
3 causing to be carried through the mails or in interstate commerce, by any  
4 means or instruments of transportation, any such security for the purpose of  
5 sale or for delivery after sale; or

6 (c) Making use of any means or instruments of transportation or  
7 communication in interstate commerce or of the mails to offer to sell or offer  
8 to buy through the use or medium of any prospectus or otherwise any  
9 security, unless a registration statement has been filed with the Commission  
10 as to such security, or while the registration statement is the subject of a  
11 refusal order or stop order or (prior to the effective date of the registration  
12 statement) any public proceeding or examination under Section 8 of the  
13 Securities Act [15 U.S.C. § 77h].

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as  
15 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also  
16 binds the following who receive actual notice of this Final Judgment by personal  
17 service or otherwise: (a) Defendant's officers, agents, servants, employees, and  
18 attorneys; and (b) other persons in active concert or participation with Defendant  
19 or with anyone described in (a).

#### 20 IV.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
22 Consent is incorporated herein with the same force and effect as if fully set forth  
23 herein, and that Defendant shall comply with all of the undertakings and  
24 agreements set forth therein.

#### 25 V.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely  
27 for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy  
28 Code, 11 U.S.C. §523, the allegations in the complaint are true and admitted by

Defendant, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under this Final Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violation by Defendant of the federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

**VI.**

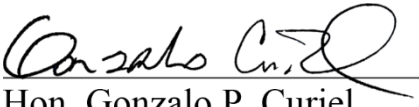
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

**VII.**

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.<sup>1</sup>

**IT IS SO ORDERED.**

Dated: July 26, 2022

  
Hon. Gonzalo P. Curiel  
United States District Judge

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<sup>1</sup> Western is the only remaining Defendant in this litigation. Co-Defendant, Louis V. Schooler passed away in 2017, at which time E. Andrew School was substituted in his place as the representative of the estate of Louis V. Schooler, for the purpose of this litigation. ECF No. 1544 at 6 (Order in Response to Ninth Circuit's Limited Remand). On June 4, 2019, this Court entered final judgment against Louis V. Schooler, ECF No. 1724, which applies against the Estate of Louis V. Schooler, and E. Andrew Schooler as the representative of the estate. ECF No. 1832. Thus, Western, is the only remaining Defendant in this litigation as of the entry of this final judgment. *See id.*